

**UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
GREENSBORO DIVISION**

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In Re:

**WILLIAM FLETCHER BARNETTE**

**CASE NO. 20-10427**

Social Security No.: xxx-xx-2670

Address: 1401 Saxon Ct, Reidsville, NC 27320-

**CHAPTER 13**

Debtor

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**MOTION FOR AUTHORITY TO MODIFY CURRENT MORTGAGE**

**NOW COMES** the Debtor, by and through the attorney undersigned, pursuant to Sections 1303 and 363 of the Bankruptcy Code, requesting permission to enter into a mortgage loan modification with Community Loan Servicing, LLC (“Creditor”) and also requesting approval of an additional attorney fee, and in support thereof, show unto the Court as follows:

1. Debtor filed a petition for relief in bankruptcy under Chapter 13 of the United States Code on May 4, 2020.
2. The Debtor is the owner of certain real property (hereinafter referred to as “Property”), which Property is known as 1401 Saxon Ct., Reidsville, NC 27320.
3. The Debtor has been approved, contingent on court approval, for a mortgage loan modification with the Creditor.
4. The pertinent terms of the proposed mortgage modification are as follows:

Item	Original	Modified
Principal amount due:	\$29,671.96 (as per the Proof of Claim)	\$33,815
Outstanding Arrearage:	\$509.92 (as per the Proof of Claim)	\$0
Interest Rate:	10.60 %	10.601 %
Interest Rate Type:	Fixed	Fixed
Maturity Date	9/11/2026	9/1/2036
Monthly Principal & Interest:	\$509.62	\$382.18
Escrow:	\$10.24	\$154.89
Total Monthly Payment:	\$519.86	\$537.07

5. The Debtor seeks approval for the modification to: lower the monthly payment.

6. It is therefore in the best interest of the bankruptcy estate to allow the Debtor to enter into the proposed modification.
7. The Debtor is making payments for the current mortgage through Chapter 13 Trustee disbursements and proposes to continue doing so.
8. That \$350.00 is the reasonable value of the services provided and to be provided by the undersigned attorney for processing this motion and attending to the details inherent in effecting a mortgage modification.

**WHEREFORE**, the Debtor respectfully prays that the Court:

1. Allow the Debtor to enter in a mortgage loan modification with the Creditor as described above;
2. Allow the Debtor to file a subsequent Motion to Modify the Chapter 13 plan, seeking, where appropriate, a reduction in the plan payment;
3. Approve an additional attorney fee in the amount of \$350.00, payable to the Law Offices of John T. Orcutt, to be paid by the Chapter 13 Trustee as an administrative expense; and
4. Grant such other and further relief as to this Court seems just and proper.
5. The servicer may record the Modification with the Register of Deeds.

Dated: July 8, 2022

**LAW OFFICES OF JOHN T. ORCUTT, P.C.**

s/ Edward Boltz

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